

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
Plaintiff,

-vs-

JOSE IVAN LARIOS-NAVARRO,  
Defendant.

NO. CR-08-2085-WFN-1  
CR-08-2109-WFN-1

ORDER

A motion hearing was held April 27, 2008. The Defendant, who is in custody, was present and represented by Amanda Stevens; Assistant United States Attorney Alexander Ekstrom represented the Government. The Court addressed Defendant's Motion to Withdraw Guilty Plea and Reconsideration (Ct. Rec. 116). The Court granted the Defendant's Motion to Withdraw Guilty Plea, then requested that the AUSA leave the courtroom so that the Court could discuss counsel issues with the Defendant. The Defendant agreed that in light of the decision regarding the Motion to Withdraw Guilty Plea, he would attempt to work out his counsel issues.

The Court has reviewed the file and Motion and is fully informed. This Order is entered to memorialize and supplement the oral rulings of the Court. Accordingly,

**IT IS ORDERED** that:

1. Defendant's Motion to Withdraw Guilty Plea, filed April 21, 2009, **Ct. Rec. 116**, is **GRANTED IN PART and RESERVED IN PART**. The Defendant's plea is withdrawn. The Court **RESERVES RULING** on Defendant's motion for reconsideration included in the motion to withdraw guilty plea is reserved.

1           2. A jury trial is **SET** for **September 14, 2009, at 1:00 p.m., in Yakima,**  
2 Washington.

3           3. For speedy trial time purposes, Defendant shall be deemed indicted on the date of  
4 this Order. 18 U.S.C. § 3161(i).

5           4. All time from Defendant withdrawing his plea on April 27, 2009, to the new trial  
6 date of September 14, 2009, is **EXCLUDED** for speedy trial calculations pursuant to 18  
7 U.S.C. § 3161(h)(7)(A). A waiver of speedy trial rights was signed by the Defendant. The  
8 Court finds that the ends of justice require a continuance in this matter to allow Defendant  
9 to resolve counsel issues and for counsel to provide effective assistance.

10          5. A final pretrial conference of shall be held **September 14, 2009, at 11:00 a.m., in**  
11 **Yakima,** Washington.

12          6. An additional pretrial conference and motion hearing shall be held **May 18, 2009,**  
13 **at 8:00 a.m., in Yakima,** Washington.

14          The District Court Executive is directed to file this Order and provide copies to  
15 counsel.

16          **DATED** this 28th day of April, 2009.

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18  
19 04-27

s/ Wm. Fremming Nielsen  
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WM. FREMMING NIELSEN  
SENIOR UNITED STATES DISTRICT JUDGE